HONOURABLE MS JUSTICE G. ROHINI

WRIT PETITION No. 16163 of 2005

Dated 6th July 2007

Between:

Ondru Bojjayya & Sons,
Bharat Petroleum Dealers,
Paderu, Visakhapatnam District.

.....Petitioner.

and

Indian Oil Corporation rep., by its Chairman, Bombay and others.

.....Respondents.

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WRIT PETITION No. 16163 of 2005

ORDER:

This Writ Petition is filed aggrieved by the action of the 1st respondent-Indian Oil Corporation in establishing a "Kissan Seva Kendra" at Paderu village in pursuance of the advertisement issued on 30-6-2005.

The petitioner is an existing dealer of Bharat Petroleum Corporation Limited running petrol out let at Paderu.

This Writ Petition is filed contending *inter alia* that the establishment of new outlet by the 1st respondent would adversely affect the business of the petitioner. It is pleaded that there is no sufficient business even for his existing outlet of Paderu village and therefore, establishing another petrol outlet would not only affect his livelihood but the new outlet would also be unviable.

A counter affidavit has been filed on behalf of the respondents denying the plea of the petitioner that he is not making any profit due to lack of sufficient business in the area. While furnishing the statistics of the official sales

figures obtained from the Bharat Petroleum Corporation Limited, it is contended that the petitioner is enjoying a gross monthly income of Rs.78, 806/-. It is also contended that the 1st respondent- Corporation having issued a notification calling for applications from eligible candidates for appointment as Operators for Kisan Seva Kendras, categorized Paderu village in Visakhapatnam District, under ST category, so as to cater to the needs of the rural farmers possessing pump sets, oil engines, etc. The allegation that there is no need for establishment of Kisan Seva Kendra at the said location is incorrect and baseless.

I have heard the learned counsel for the petitioner and learned counsel for the respondents. The petitioner has not filed any affidavit in reply nor any other material is placed before this Court disputing the particulars furnished in the counter affidavit filed by the respondents.

Having regard to stand taken by the respondents, which stood unrebutted, I do not find any substance in any of the contentions raised by the petitioner.

Accordingly, the Writ Petition is hereby dismissed. No costs.

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(G.ROHINI, J)

Dated: 6th July 2007
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